

MEMORANDUM

TO: City Planning Commission

FROM: Wendy Rampson, Planning Manager

DATE: August 6, 2014

SUBJECT: **Amendments to City Planning Commission Bylaws regarding Public Hearings**

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby adopts amendments to Article VIII, Public Hearings, of the Planning Commission Bylaws, subject to Council review and approval.

STAFF REPORT

The City Planning Commission provided notice at the July 15, 2014 Planning Commission meeting of its intent to amend Article VIII of the Planning Commission Bylaws to clarify the speaking time allowed at public hearings. The Planning Commission approved an amendment to this article in February 2014, but that amendment was not forwarded to City Council. The proposed amendments use the February 2014 changes as the base language.

In Section 3, the proposed changes continue to allow a speaker to address the Commission at a public hearing for up to 3 minutes (or 5 minutes for a representative of a registered neighborhood organization). The proposed amendments remove the ability of the Chair to modify or waive the speaking time limitations, replacing this with the opportunity for the Commission to make that decision via a majority vote.

The changes proposed in Section 5 identify a process by which the Commission will take additional comment at continued public hearings. As proposed, if a public hearing is continued, only those who did not speak at the original public hearing would be allowed to address the Commission at the continued public hearing. However, the amendments allow for the Chair, in consultation with Planning staff, to allow for those speakers who addressed the Commission at the original public hearing to speak at the continue public hearing if 1) additional feedback is necessary or 2) the petition has materially changed. To make sure members of the public know when this additional public comment is allowed, the amendments call for this information to be included in the meeting agenda.

The draft amendments are attached. Once adopted, the bylaws must be reviewed and approved by City Council before going into effect.

Attachments: 7/15/14 Draft Bylaw Amendments to Article VIII, Public Hearings

c: City Attorney

Amendment to the Bylaws of The Ann Arbor City Planning Commission

Article VIII Public Hearings

Section 1. In addition to those required by law, the Commission may, at its discretion, hold such public hearings or conferences as it decides will be in the public interest. Special accommodations, including a sign language interpreter, shall be made for people with disabilities, when requested at least two (2) business days in advance.

Section 2. The public shall receive proper legal notice as to time and location of public hearings as required by law.

Section 3. An individual wishing to address the Planning Commission during a public hearing may speak for **up to** three (3) minutes ~~in total~~. The first person identifying him/herself as the petitioner, or as a person representing the petitioner, or **representing** an organized **neighborhood** group **registered with the City of Ann Arbor**, may speak for **up to** five (5) minutes **in total**. Subsequent speakers identifying themselves as the petitioner, or as a person representing the petitioner or **representing** an organized **neighborhood** group, may speak for **up to** three (3) minutes ~~in total~~. ~~The Chair-Commission may, by majority vote of members present, modify or waive the public hearing speaking time limitations.~~ extend the speaking time further at his/her discretion.

Section 4. During public hearings, subject matter shall be limited to the topic under consideration. Commission response to the public's remarks shall be confined to clarification of the presented facts.

Section 5. At the discretion of the Chair, or by vote of a majority of the members present, public hearings may be continued to another date ~~meeting, but will not be deemed to be a new hearing but a continuation of the original.~~ If a public hearing is continued, individuals who have not previously addressed the Commission during the public hearing may address the Commission following the requirements of Section 3. Individuals who have addressed the Commission previously during the public hearing may only address the Commission for additional time (as limited by Section 3) during the continued public hearing if the Chair, with the consultation of Planning and Development Services staff, determines that: 1) additional public feedback is necessary, or 2) a specific petition has materially changed since the date of the original public hearing date. Agendas for continued public hearings shall specify whether members of the public shall be granted additional time to speak.

~~Section 6. The Commission may, by majority vote, modify or waive the limitations made within Sections 3 and 5 of this article.~~